

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Terry Allen King

#49756

(Enter above the full name of the plaintiff
or plaintiffs in this action).

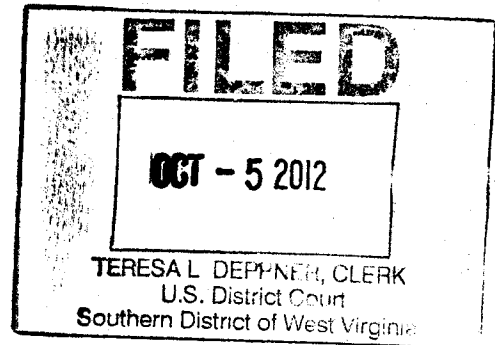
(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 1:12-cv-6252
(Number to be assigned by Court)

Sgt. Cantrail
Counselor, Perry
Warden Belford
Assistant Warden Dengus

(Enter above the full name of the defendant
or defendants in this action)



COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No ☒ _____

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

-
3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

-
6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: Mount Olive Correctional complex

A. Is there a prisoner grievance procedure in this institution?

Yes ✓ No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ✓ No

C. If you answer is YES:

1. What steps did you take? I failed to the Captain
then to warden, then to Commissioner

2. What was the result? Affirm unit and deny grievance

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Terry King Do #49756

Address: One Mountain Side Way. Mt. Olive, WV 25185

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Sgt. Cantrail
is employed as: Sgt. Cantrail
at Stevens Correctional Center

D. Additional defendants: (Counselor, Perry The Counselor
at Stevens Correctional Center) (Warden Bellford
employed as Warden at Stevens Correctional Center)
Assistant Warden Nings employed as Assistant Warden at Stevens
Correctional Center

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

IV. Statement of Claim (continued):

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

- ① I want a amount of \$4,000,000
in punitive Damages, personal injuries and
Pain en suffering.
- ② I want each Officer, Counselor and both
Wardens to Resign from there jobs.
- ③ I want all of my Medical expences paid
for.

V. Relief (continued)):

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes ☒ No ☐

If so, state the name(s) and address(es) of each lawyer contacted:

Forbes Law Offices, PLLC 118 Kanawha Blvd East Charleston, WV 25301
Sean W. Cook 707 Virginia Street East #1400 Charleston, WV 25301-772

If not, state your reasons:

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes ☐ No ☒

If so, state the lawyer's name and address:

Signed this 19th day of September, 2012.

Terry King Doc #49756
Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 9-19-2012
(Date)

Terry King
Signature of Movant/Plaintiff

Signature of Attorney
(if any)

① I was a prisoner at Stevens Correctional Center 795 Virginia Ave., Welch, West Virginia 24801. ON November 4, 2011 after Waking and Breakfast I went to the Recreation yard at approx. 8:00 A.M. Upon returning I hid under the stairwell and waited for everyone to go in. When all the other inmates got inside I went back out the door at the Bottom of the stairwell. At around 10:30 A.M. I cut the fence and fled. I ran across U.S. Route 52 (AKA Virginia Ave) and waded across the Elk Horn Creek. I went up and across the railroad tracks. I entered into the woods. The Stevens Centers Correctional officers were chasing me and the Warden was yelling at me. He hollered for me to "stop". Mrs. Howell, Counselor, walked up in the wood and told me to stop. I stopped at her direction. She yelled at the officers to come over there. Officer Gilbert came over and told me to put my hands behind my back. I did. He put handcuffs on me with my hands behind my back. At no time did I resist or threaten staff.

② CO Gilbert and Mrs. Howell walked me down off the side of the Mountain. It was approx. 10:45 A.M. At that time Counselor Perry came across the railroad tracks screaming at me, He said threatening, "get the fuck down on the ground, you asshole." As I was slowing getting down, Counselor Perry slammed me face first into the railroad tracks cause sharp pain to my face and shoulders. Mr. Perry did not have any leg irons, so he put another set of handcuffs on my ankles. My ankles were too thick so he forced them into my flesh. This inflicted unending excruciating pain. I asked him to loosen them. He refused, and cursed at me.

③ Officer Gilbert and Mrs. Howell left the scene as I lay on the ground in severe pain. After they left, Mr. Perry stomped my head numerous times off the railroad tracks, Then he got on top of me and started punching me repeatedly in the back and when he got done he put his knees in my

- ④ Then Sgt. Cantrail Came walking down the railroad tracks when he got close within range of me. Kicked me in the head several time saying "man that fuckin feels good."
- ⑤ When Sgt. Cantrail got done Kicking me, he and Mr. Perry dragged me under a train by my ears, hair and neck and I was handcuffed behind the back and my ankles were handcuffed together if the train would have moved I would have been cut in half.
- ⑥ When they got me on the other side of train, Mr. Perry and Sgt. Cantrail dragged me down the railroad tracks about a quarter mile causing lacerations to my knees and bruising up and down my legs.
- ⑦ After they dragged me down the tracks Mr. Perry and Sgt. Cantrail threw me in the back of a (Black Jeep liberty) and Sgt. Cantrail got on top of me and put his knees in my neck to hold me down causing sharp pain two my neck and my brain.
- ⑧ When they got me back to the Stevens Center Mr. Perry and Sgt. Cantrail threw me out of the back of the Jeep on to the asphalt causing me to violently bust the right side of my face.
- ⑨ They picked me up both Mr. Perry and Sgt. Cantrail by my shoulders and dragged me in the back door to Medical causing sharp pain to run through my shoulders and neck and ankles.
- ⑩ When Mr. Perry and Sgt. Cantrail got me into Medical they threw me face first down on the ground and busted my left eye open making a laceration about ~~two~~ two inches deep and two inches long. and they left me laying in a puddle of my own blood. and it was approx. 11:30 A.M..
- ⑪ As I was laying in a puddle of blood Warden Bellford and Assistant Warden Dengus came into the medical unit and Sgt. Cantrail addressed both Warden saying in a situation like this we can use blunt force right?" Both Bellford and Dengus, in unison, answered, "that is right." then they departed from medical.

- (12) After both the Warden left medical the Stevens Centers (Mail lady) Mr. Curtis came in medical and took photographs of my body, face and legs bruised, lacerated and beaten and pouring the blood and also the puddle of blood on the floor.
- (13) After the mail lady Mrs. Curtis was done taking ~~photos~~ photos Sgt. Cantail slamed me back down face first on the floor in the same puddle of blood from the first time Causeing more pain to my head and face.
- (14) Counselor Perry and Sgt. Cantail picked me up and set me down on the medical table and Counselor Perry told the nurse to look in my medical ~~file~~ file to see if I have (Hiv) Violateing my medical rights.
- (15) after they checked my file Counselor Perry and Sgt. Cantail grabbed me by my shoulders and dragged me to the holding cell in medical unit and slamed me on the ground face first and Sgt. Cantail put his knees in the back of my neck causing sharp pain threw my neck to my feet. and Counselor Perry stood on my ankles causeing wounding excruciating pain and the handcuffs cut into my flesh and my Achilles tendons to tear.
- (16) scence this Excessive force I have suffered from dizziness, blurred and double vision, Migraine headaches, Knots in the left side of my neck that has never went away. My Jaws lock up and pop, My ankles swell up and pop, my lungs and Kidneys shoot sharp pain through my hole body, My Collar bones and Sholders Crack and pop, My eyes have sharp pain that shoots through them. My upper back goes numb from damaged nerves. I have Scars above my eyes, My Knees pop in and out of place.

- END -

Mount Olive Correctional Center
c/o Maintenance Unit
Mt. Olive, WV 25185
Terry King Doc #49756

CORRESPONDANCE FROM INMATES
MOUNT OLIVE CORRECTIONAL CENTER

Jessie W. Deppner
United States District Court
Southern District of West Virginia
PO Box 2546
Charleston, WV 25309

